

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE NBR)	
ANTITRUST LITIGATION)	Master Docket
)	Civil Action No. 03-1898
THIS DOCUMENT RELATES TO:)	
)	Judge Cercone
)	Magistrate Judge Hay

th **ORDER**

AND NOW, this 29 day September, 2005, after defendant ParaTec filed cross-claims in the above-captioned case, and after a Motion to Dismiss ParaTec's Cross-Claims was submitted on behalf of defendants Crompton Corporation and Uniroyal Chemical Company, Inc., and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties ten days after being served with a copy to file written objections thereto, and upon consideration of the objections filed by defendants, Crompton Corporation and Uniroyal Chemical Company, Inc., and a response filed by defendant Paratec, and upon independent review of the motion and the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS ORDERED that the Motion to Dismiss Paratec's Cross-Claims [Docket No. 104-1] submitted on behalf of defendants Crompton Corporation and Uniroyal Chemical Company, Inc. is GRANTED as to Counts IV, V, VI and VII and DENIED in all other respects, and that the Motion to Compel Arbitration [Docket No.104-2] is DENIED.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if the parties desire to appeal from this Order they must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed.R.App.P.



DAVID S. CERCONI
United States District Judge

cc: Honorable Amy Reynolds Hay
United States Magistrate Judge

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